



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/780,957	02/09/2001	Peter Jon Clayton	01P7460US	6936

7590 10/08/2002

Siemens Corporation
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

EXAMINER

LE, DANG D

ART UNIT	PAPER NUMBER
----------	--------------

2834

DATE MAILED: 10/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/780,957

Applicant(s)

CLAYTON ET AL.

Examiner

Dang D Le

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 August 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,7,8 and 10-13 is/are pending in the application.
- 4a) Of the above claim(s) 11-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7,8 and 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 12 August 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 3-5, 7, 8 and 10 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claims 3, 4, 7 and 10 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claims 3, 4, 7 and 10 respectively depends on claims 2, 6, and 9 which are canceled. These claims are considered to be dependent of claims 1, 5, and 8, respectively.

In addition, the applicant indicated to cancel claim 2, 6, 9 in page 4 of the amendment. However, claim 2 still presents in page 5.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

Art Unit: 2834

were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nold in view of Moffatt.

Regarding claim 1, Nold shows a power generator system comprising:

- A power generator (13, 14, Figure 1);
- An exciter (11, 12) for excitation of said power generator, the exciter including a diode wheel, the diode wheel having a rotating support structure, a plurality of diodes (20) mounted to the structure, and a plurality of a diode support and rupture containment devices (21 and elements between diodes 20 and heat sinks 18) each positioned adjacent a respective one of the plurality of diodes to support the diode and contain the diode within the confines thereof in the event the diode ruptures.

Nold also shows the containment members (21) being formed of an insulating material.

Nold does not show each of the diode support and rupture containment device including a pair of spaced-apart insulative containment members with the respective diode positioned therebetween.

Moffatt shows each of the diode support and rupture containment devices including a pair of spaced-apart containment members (Figure 3b) having the diode (108) positioned therebetween for the purpose of covering the diodes.

Since Nold and Moffatt are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include each of the diode support and rupture containment devices with a pair of spaced-apart containment members having the diode positioned therebetween as taught by Moffatt for the purpose discussed above.

6. Claims 3-5, 7, 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nold in view of Moffatt as applied to claim 1 above and further in view of the applicant's admitted of prior art (Figure 4).

Regarding claim 3, the system of Nold modified by Moffatt show all of the limitations of the claimed inventions except for the diode wheel including a plurality of metal electric connection regions each having one of the diodes connected thereto, wherein each of the plurality of diodes includes a casing formed of an insulating material, and wherein at least one of the pair of containment members is positioned adjacent the metal-electric connection region having the diode connected thereto and extends to the casing of the diode.

The applicant's admitted of prior art (Figure 4) shows the diode wheel including a plurality of metal electric connection regions each having one of the diodes connected thereto, wherein each of the plurality of diodes includes a casing (36) formed of an

insulating material, and wherein at least one of the pair of containment members is positioned adjacent the metal-electric connection region (if combined with Nold) having the diode connected thereto and extends to the casing of the diode for the purpose of providing electrical connection between the diodes and covering the diodes.

Since Nold, Moffatt and the applicant's admitted of prior art are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the diode wheel with a plurality of metal electric connection regions each having one of the diodes connected thereto, wherein each of the plurality of diodes includes a casing formed of an insulating material, and wherein at least one of the pair of containment members is positioned adjacent the metal-electric connection region having the diode connected thereto and extends to the casing of the diode as taught by the applicant's admitted of prior art for the purpose discussed above.

Regarding claim 4, it is noted that Nold also shows each of the pair of containment members having a substantially annular shape to thereby define an insulative disc, and wherein each of the insulative discs being connected to the diode wheel for ease of access to the diode.

Regarding claim 5, it is noted that this claim is a combinations of claims 1 and 3. Therefore, it is also rejected.

Regarding claim 7, the claim is similar to claim 4. Consequently, it is also rejected.

Regarding claim 8, it is noted that this claim is a combinations of claims 1 and 3. As a result, it is rejected.

Claim 10 is similar to claim 4 which is rejected.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Information on How to Contact USPTO

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D Le whose telephone number is (703) 305-0156. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone

Application/Control Number: 09/780,957

Page 7

Art Unit: 2834

numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

DDL
October 4, 2002

PR

Dang ✓ *L*